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SEC

SERVICE DATE - MARCH 7, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34281

LB RAILCO, INC.
– LEASE AND OPERATION EXEMPTION –
PROVIDENCE AND WORCESTER RAILWAY COMPANY

Decided: March 6, 2003

By motion filed on March 5, 2003, the Town of Millbury (Millbury) requests that the Board (1) delay action in this proceeding until after March 26, 2003, and (2) extend the deadline for filing replies to the motion to lift the Board's previously imposed stay, filed by Ms. Elizabeth Aubin, to March 26, 2003. Millbury states that it consulted with counsel for LB Railco, Inc., Ms. Aubin, and the Massachusetts Department of Environmental Protection, about this request and received their concurrence.¹ Millbury states that the purpose of the suspension is to allow for the continuation of settlement negotiations. A similar extension until March 5, 2003, was granted by decision served on February 20, 2003.

Millbury's requests will be granted. The requests will encourage settlement and prejudice no party.

It is ordered:

1. Action in this proceeding will be delayed until after March 26, 2003, and the deadline for filing replies to Ms. Aubin's motion to lift the stay is extended until March 26, 2003.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ Millbury also contacted counsel for the National Solid Waste Management Association but had not obtained the consent of that entity prior to filing this request.